

SECOND REGULAR SESSION
[C O R R E C T E D]
[P E R F E C T E D]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 719
96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KEHOE.

Offered February 22, 2012.

Senate Substitute adopted, February 22, 2012.

Taken up for Perfection February 22, 2012. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

5618S.04P

AN ACT

To repeal section 306.127, RSMo, and to enact in lieu thereof one new section relating to the issuance of temporary boating safety identification cards to nonresidents, with an emergency clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 306.127, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 306.127, to read as follows:

306.127. 1. Beginning January 1, 2005, every person born after January
2 1, 1984, or as required pursuant to section 306.128, who operates a vessel on the
3 lakes of this state shall possess, on the vessel, a boating safety identification card
4 issued by the Missouri state water patrol or its agent which shows that he or she
5 has:

6 (1) Successfully completed a boating safety course approved by the
7 National Association of State Boating Law Administrators and certified by the
8 Missouri state water patrol. The boating safety course may include a course
9 sponsored by the United States Coast Guard Auxiliary or the United States
10 Power Squadron. The Missouri state water patrol may appoint agents to
11 administer a boater education course or course equivalency examination and issue
12 boater identification cards under guidelines established by the water patrol. The

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

13 Missouri state water patrol shall maintain a list of approved courses; or

14 (2) Successfully passed an equivalency examination prepared by the
15 Missouri state water patrol and administered by the Missouri state water patrol
16 or its agent. The equivalency examination shall have a degree of difficulty equal
17 to, or greater than, that of the examinations given at the conclusion of an
18 approved boating safety course; or

19 (3) A valid master's, mate's, or operator's license issued by the United
20 States Coast Guard.

21 2. The Missouri state water patrol or its agent shall issue a permanent
22 boating safety identification card to each person who complies with the
23 requirements of this section which is valid for life unless invalidated pursuant to
24 law.

25 3. The Missouri state water patrol may charge a fee for such card or any
26 replacement card that does not substantially exceed the costs of administering
27 this section. The Missouri state water patrol or its designated agent shall collect
28 such fees. These funds shall be forwarded to general revenue.

29 4. The provisions of this section shall not apply to any person who:

30 (1) Is licensed by the United States Coast Guard to serve as master of a
31 vessel;

32 (2) Operates a vessel only on a private lake or pond that is not classified
33 as waters of the state;

34 (3) Until January 1, 2006, is a nonresident who is visiting the state for
35 sixty days or less;

36 (4) Is participating in an event or regatta approved by the water patrol;

37 (5) Is a nonresident who has proof of a valid boating certificate or license
38 issued by another state if the boating course is approved by the National
39 Association of State Boating Law Administrators (NASBLA);

40 (6) Is exempted by rule of the water patrol;

41 (7) Is currently serving in any branch of the United States armed forces,
42 reserves, or Missouri national guard, or any spouse of a person currently in such
43 service; or

44 (8) Has previously successfully completed a boating safety education
45 course approved by the National Association of State Boating Law Administrators
46 (NASBLA).

47 5. The Missouri state water patrol shall inform other states of the
48 requirements of this section.

49 6. No individual shall be detained or stopped strictly for the purpose of
50 checking whether the individual possesses a boating safety identification card or
51 a temporary boater education permit.

52 7. [Beginning January 1, 2006, any nonresident born after January 1,
53 1984, desiring to operate a rental vessel on the lakes of this state, may obtain a
54 temporary boater education permit by completing and passing a written
55 examination developed by the Missouri state water patrol, provided the person
56 meets the minimum age requirements for operating a vessel in this state. The
57 Missouri state water patrol is authorized to promulgate rules for developing the
58 examination and any requirements necessary for issuance of the temporary boater
59 education permit. The temporary boater education permit shall expire when the
60 nonresident obtains a permanent identification card pursuant to subsection 2 of
61 this section or thirty days after issuance, whichever occurs first. The Missouri
62 state water patrol may charge a fee not to exceed ten dollars for such temporary
63 permit. Upon successful completion of an examination and prior to renting a
64 vessel, the business entity responsible for giving the examination shall collect
65 such fee and forward all collected fees to the Missouri state water patrol on a
66 monthly basis for deposit in the state general revenue fund. Such business entity
67 shall incur no additional liability in accepting the responsibility for administering
68 the examination. This subsection shall terminate on December 31, 2010.] **Any**
69 **person or company that rents or sells vessels may issue a temporary**
70 **boating safety identification card to a nonresident of the state to**
71 **operate a rented vessel or a vessel being considered for sale, for a**
72 **period of up to seven days, provided that the individual meets the**
73 **minimum age requirements for operating a vessel in this state. In**
74 **order to qualify for the temporary boating safety identification card,**
75 **the applicant shall sign an affidavit that he or she has reviewed the**
76 **Missouri State Highway Patrol Handbook of Missouri Boating Laws and**
77 **Responsibilities. Any nonresident holding a valid temporary boating**
78 **safety identification card shall be deemed in compliance with the**
79 **requirements of this section. The Missouri state highway patrol shall**
80 **charge a fee of nine dollars for such temporary boating safety**
81 **identification card. Nonresidents shall not be eligible for more than**
82 **one temporary boating safety identification card. No person or**
83 **company may issue a temporary boating safety identification card to**
84 **a nonresident under the provisions of this subsection unless such**

85 person or company is capable of submitting the applicant's temporary
86 boating safety identification card information and payment in an
87 electronic format as prescribed by the Missouri state highway
88 patrol. The business entity issuing a temporary boating safety
89 identification card to a nonresident under the provisions of this
90 subsection shall transmit the applicant's temporary boating safety
91 identification card information electronically to the Missouri state
92 highway patrol, in a manner and format prescribed by the
93 superintendent, using an electronic online registration process
94 developed and provided by the Missouri state highway patrol. The
95 electronic online process developed and provided by the Missouri state
96 highway patrol shall allow the applicant to pay the temporary boating
97 safety identification card fee by credit card or debit
98 card. Notwithstanding any provision in section 306.185 to the contrary,
99 all fees collected under the authority of this subsection shall be
100 deposited in the water patrol division fund. The Missouri state
101 highway patrol shall promulgate rules for developing the temporary
102 safety identification card and any requirements necessary to the
103 issuance, processing, and payment of the temporary boating safety
104 identification card. The provisions of this subsection shall expire on
105 December 31, 2022.

Section B. Because of the need to ensure that out-of-state residents are
2 knowledgeable in the safe operation of vessels, section A of this act is deemed
3 necessary for the immediate preservation of the public health, welfare, peace and
4 safety, and is hereby declared to be an emergency act within the meaning of the
5 constitution, and section A of this act shall be in full force and effect upon its
6 passage and approval.

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